7-23-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 95,1408-UUU)

In the Application of:	
Sheppard et al.	**Examiner: Pensee Do**
Serial No.: 10/726,337	**Group Art Unit: 1641**
Filing Date: November 30, 2003	
For: Affinity Binding-Based System for Detecting Particulars in a Fluid	

TRANSMITTAL LETTER

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

1. We are transmitting herewith the attached:
 a) Information Disclosure Statement;
 b) PTO Form 1449 and cited references;
 c) Return postcard

2. With respect to fees:
 a) No fees are required
 b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490. A duplicate copy of this letter is enclosed.

3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on July 22, 2004.

Respectfully submitted,

Date: 22 July 2004

Kevin E. Noonan, Ph.D.
Registration No. 35,303

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive
Chicago, IL 60606
(312)913-0001

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PATENT & TRADEMARK OFFICE

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	)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned representative by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: July 22, 2004

Kevin E. Noonan
Reg. No. 35,303

Substitute for form 1449A/PTO				Complete if Known	
				Application No.	10/726,337
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Filing Date:	11/30/03
				First Named Inventor	Sheppard Jr.
				Group Art Unit	1641
(use as many sheets as necessary)				Examiner Name	Pensee Do
Sheet	1	of	3	Attorney Docket No.	95,1408-UUU

OIPE JC16 JUL 22 2004 PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.[1]	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear
		Number	Kind Code[2] (if known)			
	1	3,615,222		Louis W. Mead	10-26-1971	
	2	3,743,482		A. M. Eisentraut	12-30-1970	
	3	5,009,997		Shah et al.,	04-23-1991	
	4	4,546,460		Ando	10-08-1985	
	5	5,091,318		Anawis et al.,	02-25-1992	
	6	5,137,031		Guirguis	08-11-1992	
	7	5,278,048		Parce et al.	01-11-1994	
	8	5,304,487		Wilding et al.,	04-19-1994	
	9	5,296,375		Kricka et al.,	03-22-1994	
	10	5,338,689		Yves et al.,	06-16-1994	
	11	5,403,720		Sato et al.,	04-04-1995	
	12	5,427,946		Kricka et al.	06-27-1995	
	13	5,451,504		Fitzpatrick et al.,	09-19-1995	
	14	5,460,940		Yves et al.	10-24-1995	
	15	5,460,979		Levine et al.,	10-24-1995	
	16	5,491,067		Setcavage et al.	02-13-1996	
	17	5,496,697		Parce et al.,	03-05-1996	
	18	5,506,141		Weinreb et al.,	04-09-1996	
	19	5,512,432		Lapierre et al.	04-30-1996	
	20	5,547,849		Baer et al.,	08-20-1996	

Examiner Signature		Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[1] Unique citation designation number. [2] Applicant is to place a check mark here if English translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to compete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC. 20231

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(use as many sheets as necessary)				Examiner Name	Pensee Do
Sheet	2	of	3	Attorney Docket No.	95,1408-UUU

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	21	5,556,764		Sizto et al.,	09-17-1996	
	22	5,637,469		Wilding et al.,	06-10-1997	
	23	5,672,861		Fairley et al.,	09-30-1997	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Figures Appear	T[6]
		Office[3]	Number[4]	Kind Code[5] (if known)				
	24	WO	93/22053	A1	Trustees of the University of Pennsylvania	11-11-1993		
	25	WO	94/16543	A1	Raimund Schutze	07-11-1994		
	26	WO	92/07243	A1	Cellpro, Inc.	04-30-1992		
	27	EP	0 634 654	A2	Arcangelo Ventura	04-07-1994		

OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.[1]	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T[2]
	28	COZENS-ROBERTS *et al.*, "Receptor-mediated adhesion phenomena" *Biophys. J.* 58:107-125 (July 1990).	
	29	PRIME *et al.*, "Adsorption of Proteins onto Surfaces Containing End-Attached Oligo (ethylene oxide): A Model System Using Self-Assembled Monolayers" *J. Am. Chem. Soc.* 115:10714-21 (1993).	

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	30	Singhvi *et al.*, "Engineering Cell Shape and Function" *Science* 264:696-698 (April 29, 1994).	
	31	Owicki et al., "Biosensors based on the energy metabolism of living cells: The physical chemistry and cell biology of extracellular acidification" *Biosensors & Bioelectronics* 7:255-272 (1992).	
	32	Raymond Dessy "Waveguides as Chemical Sensors" *Analytical Chemistry* 61(19)1079A-1094A (October 1, 1989).	
	33	Nakagawa *et al.*, "A Micro Chemical Analyzing System Integrated on a Silicon Wafer" *Proc IEEE* 89-95 (1990).	
	34	Rosenzweig *et al.*, "Laser-Based Particle-Counting Microimmunoassay for the Analysis of Single Human Erythrocytes" *Anal. Chem.* 66:1771-1776 (1994).	
	35	Haab et al. "Single Molecule Fluorescence Burst of Detection of DNA Fragments Separated by Capillary Electrophoresis" Anal. Chem. 67:3253-3260 (1995).	

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